



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

**APR 24 2015**

Ref: 8EPR-N

Kent Walter, Field Manager  
Bureau of Land Management  
White River Field Office  
220 East Market Street  
Meeker, CO 81641

Re: White River Field Office Final Resource Management Plan Amendment and Environmental Impact Statement CEQ # 20150080

Dear Mr. Walter:

The U.S. Environmental Protection Agency Region 8 has reviewed the Bureau of Land Management (BLM) White River Field Office (WRFO) Final Resource Management Plan Amendment (RMPA) and Final Environmental Impact Statement (EIS). The EPA provides these comments to assist with development of the BLM's RMPA/EIS and in accordance with our authorities and responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act.

**Background**

The WRFO planning area includes approximately 2.7 million acres of BLM, National Park Service (NPS), U.S. Forest Service (FS), state and private lands in northwestern Colorado. The planning area includes the majority of Rio Blanco County and portions of Garfield and Moffat counties. The BLM administers approximately 1.5 million surface acres and 2.2 million subsurface acres of federal oil and gas minerals within the planning area. The EPA understands that this proposed amendment results from the BLM's determination that oil and gas activity has increased substantially since the agency completed the 1997 White River RMP. The exploration and development increases are occurring primarily in the Mesaverde Play Area (MPA). This area is located within the Piceance-Yellow Creek watershed in the central portion of the WRFO planning area and encompasses approximately 600,000 acres. The Final RMPA/EIS identifies that 92% of leasable acres within the MPA have already been leased.

The EPA's January 25, 2013 comments on the Draft EIS focused on water and air resources. These comments have been largely addressed in the Final EIS through added and/or revised discussion in the following sections: Chapter 2, Alternatives; Chapter 4, Environmental Consequences; Appendix A, Oil and Gas Leasing Stipulations and Lease Notices; Appendix I, Water Resource Monitoring Plan; and Appendix J, Comprehensive Air Resources Protection Protocol. With the expanded discussion and additional information, the Final EIS provides improved disclosure and mitigation of potential impacts

to water and air resources.

The Final EIS identifies a new alternative, Alternative E, as the Proposed Amendment. Alternative E, a combination of elements from Alternatives A, B, C and D, identifies approximately 1,696,000 acres of BLM federal mineral estate open to leasing. This includes 405,600 acres subject to no surface occupancy (NSO) stipulations, 461,800 acres subject to controlled surface use (CSU) stipulations, and 1,696,000 acres subject to timing limitations (TLs). Implementation of Alternative E is assumed to result in up to 15,040 new oil and gas wells on 1,100 new well pads during the 20-year period of analysis.

## **Protection of Water Resources**

### Water Resource Monitoring Plan

The EPA appreciates the opportunity to work collaboratively with the BLM in developing a long-term monitoring plan for groundwater and surface water prior to release of the Final EIS. The Water Resource Monitoring Plan will document the current condition. It will also identify future water resources data collection, management and information gathering strategies necessary for implementing the decisions in this RMPA.

### Water Management Plan

Alternative E requires operators to include a water management plan as part of each field development plan. The water management plans will describe the predicted water use, storage needs, recycling or treatment options, and disposal methods for fresh and produced water. The EPA sees these plans as important and effective tools for managing and conserving water as well as mitigating impacts to stream flows, aquatic life, groundwater quality and quantity, and public and private drinking water supplies.

### Evaporation Ponds

As we commented during the cooperating agency review of Alternative E, we continue to recommend that Alternative E include the management action included in the Draft EIS Preferred Alternative denying evaporation facilities for produced water disposal on public lands. In Alternative E of the Final EIS, the management action has been changed to allow evaluation of evaporation facilities for the disposal of produced water on a case-by-case basis. The analysis in Chapter 4 of the Final EIS (pages 4-155 to 4-157) identifies that evaporation facilities have the potential for the following impacts:

- Evaporation ponds leaking into shallow groundwater;
- Salt build-up on adjacent soils due to overspray from misters; and
- Transport of salt on soils to surface waters during storm events, resulting in degraded surface and groundwater quality.

These potential impacts from evaporation facilities may contribute to further impairment of streams in the MPA that are on Colorado's 2012 303(d) List and Monitoring and Evaluation List. Therefore, we recommend that the Record of Decision (ROD) include the Draft EIS Preferred Alternative management action denying evaporation facilities for produced water on public land. If it is not included in the ROD, we strongly recommend the BLM consider committing to measures to reduce the potential impacts from evaporations ponds by:

- Limiting the amount of water that can be disposed of through evaporation ponds;
- Encouraging the operator to pursue alternative water disposal methods including treatment for reuse or subsurface injection;
- Requiring treatment technology to control volatile organic compound emissions, including hazardous air pollutants, using dissolved air flotation or an equally effective method resulting in an air pollution control efficiency of at least 60%; and
- Including important water quality safeguards for potential leaks, such as lining and leak detection for evaporation ponds.

### Stipulation for Water Resources

The Draft EIS Preferred Alternative contained CSU stipulation for water resources (Table 2-2, Record 12) that included the statement “With existing leases or renewed authorizations, COAs would be applied to approvals to protect surface water resources in these areas.” This sentence was removed from the modified version of CSU-02-E Water Resources that is included in the Proposed Action of the Final EIS. We appreciated the clarity of disclosure of this statement, and recommend that it be added to CSU-02-E in the ROD or an explanation be provided on why it was removed.

### **Protection of Air Resources**

The Final EIS states that Table 2-1 Comparison of Alternatives – Air and Atmospheric Values has been modified to identify that several air quality mitigation measures, which had been requirements for the Preferred Alternative in the Draft EIS, were not carried forward as requirements into Alternative E in the Final EIS. We recommend reconsidering these measures at the project-level analysis in the future, and that individual projects be analyzed within the context of the reasonably foreseeable development (up to 15,040 new oil and gas wells on 1,100 new well pads during the 20-year period of analysis) anticipated. These mitigation measures include: specific percentage reduction requirements for fugitive dust control, specific percentage reduction requirements for VOC emissions, Tier 4 (or more stringent) emission control requirements for new and existing drill rig engines by 2015, percentage requirement for use of three-phase gathering systems, and percentage reduction requirements for VOC control at produced water evaporation ponds. We understand from the Statewide Leasing Notice included in Appendix J that these and many other potential mitigation measures (Table J-1) will be considered when air resource impacts are analyzed at the project level, and if necessary would be required as a permit condition of approval (COA). Since the BLM made the decision to not carry through these air quality mitigation measures as requirements in the FEIS and ROD for this RMPA, the BLM’s Comprehensive Air Resource Protection Protocol (CARPP) will be essential to protect air quality and AQRVs within the White River planning area and throughout the state. We look forward to participating in project level air quality analyses when they are initiated.

### **Greenhouse Gas Emissions and Climate Change**

We appreciate the discussion of climate change, the inclusion of the GHG inventories for each alternative, and highlighting that management actions implemented to reduce other pollutants will have co-benefits of reducing GHGs in many cases. We believe that the Council on Environmental Quality’s (CEQ) December 2014 Revised Draft Guidance for Federal Agencies’ Consideration of GHG Emissions and Climate Change offers a reasonable approach for conducting analyses of GHGs and climate change

impacts. We note that the FEIS compares the GHG emissions to total U.S. emissions; we believe this approach does not provide meaningful information for a project level analysis. We recommend that NEPA analyses consider providing a frame of reference, such as an applicable Federal, state, tribal or local goal for GHG emission reductions, and discuss whether the emissions levels are consistent with such goals. Lastly, we recommend that the BLM identify and commit to implementation of reasonable mitigation measures to specifically reduce GHG emissions associated with the RMPA in the ROD (in addition to the discussion on co-benefits of actions to reduce other pollutants). Such measures could include consideration of renewable energy resources to address energy needs for compressor stations and other facilities.

## Closing

We appreciate the opportunity to review the Final EIS. If you have any questions or requests, please feel free to contact either me at 303-312-6704 or David Fronczak of my staff at 303-312-6096 or by email at [fronczak.david@epa.gov](mailto:fronczak.david@epa.gov).

Sincerely,



Philip S. Strobel

Acting Director, NEPA Compliance and Review Program  
Office of Ecosystems Protection and Remediation